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filed by Plaintiff Emily Sharp Rains that a federal question arises, namely under Plaintiff's Fourth Cause of Action for Gender and Religious Discrimination in violation of 42 U.S.C. §2000e, *et. seq.* In support of this notice, Defendants state as follows:

BACKGROUND

This case was originally filed by Plaintiff in June of 2020 in the Third Judicial District Court, Salt Lake County, State of Utah. According to the Complaint (attached hereto as Exhibit A), Plaintiff alleges that she was subject to unlawful discrimination on the basis of sex and religion (all such allegations denied). She asserts a cause of action for "Gender/Religious Discrimination and Retaliation for Protected Activity in Violation of Title VII of the Civil Rights Act, 42 U.S.C. 2000e, *et seq.*" Plaintiff also asserts several related causes of action arising under Utah law.

Defendant received service of process of Plaintiff's complaint on June 17, 2020, by personal service. *See* Exhibit A (a copy of the summons and complaint). In accordance with 28 U.S.C. §1446, Defendant provides a copy of all process and pleadings it has received as Exhibits A (the complaint and summons, together with exhibits to the complaint)

THIS NOTICE OF REMOVAL IS TIMELY

This lawsuit is a civil action within the meaning of the Acts of Congress relating to removal of causes. Defendant first received service of process on June 17, 2020

The removal of this action to this Court is timely under 28. U.S.C. §1446(b) because this Notice of Removal is filed within thirty (30) days after June 17, 2020, which is the date Defendants first received the summons in this action.

THIS COURT HAS FEDERAL QUESTION AND SUPPLEMENTAL JURISDICTION

Although it appears that Plaintiff has alleged claims against Defendant founded upon Utah state law, under 28 U.S.C. §1331, this court has original jurisdiction as this case involves a federal question, namely whether Plaintiff is entitled to relief under the Title VII of the Civil Rights Act. Additionally, this court has original jurisdiction under 28 U.S.C. §1343(a)(4) which provides that U.S. district courts “shall have original jurisdiction of any civil action authorized by law to be commenced by any person: (4) to recover damages or to secure equitable or other relief under any Act of Congress providing for the protection of civil rights, including the right to vote.”

Plaintiff asserts a number of related claims arising under Utah law. These are: 1) breach of contract; 2) breach of the covenant of good faith and fair dealing; 3) intentional interference with contractual/economic relations; 4) unlawful discrimination on the basis of religion and sex pursuant to Utah Code Ann. §34A-5-106; 5) negligent employment, supervision, and retention; and 6) intentional infliction of emotional distress. These claims all arise, however, from the same facts giving rise to Plaintiff’s claim for unlawful discrimination under Title VII of the United States Civil Rights Act. Consequently, these state law claims are part of the same case or controversy, and thus this Court has supplemental jurisdiction pursuant to 28 U.S.C. §1367(a).

NOTICE OF REMOVAL FILED WITH THE STATE COURT

Concurrently with this Notice of Removal, Defendants will file a copy of this document with the Third Judicial District Court, Salt Lake County, State of Utah. In accordance with 28

U.S.C. §1446(d), Defendants will give written notice to Plaintiff by contemporaneously serving a copy on Plaintiff via United States Mail.

Should any question arise as to the propriety of the removal of this action, Defendant respectfully requests the opportunity to present a brief and oral argument in support of its position that this case is removable.

DATED this 8th day of July, 2020.

RENCER ANJEWIERDEN

/s/ Benjamin K. Lusty
Jaryl L. Rencher
Benjamin K. Lusty

MAILING CERTIFICATE

I hereby certify that on the 8 day of July, 2020, I caused to be mailed, a true and correct copy of the attached and foregoing to the following:

Emily Sharp Rains
881 Baxter Dr., STE 100
South Jordan, UT 84095

/s/ Benjamin K. Lusty
RENCHE|ANJEWIERDEN